

**REMARKS**

Initially, Applicant's representative thanks the Examiner for the courtesies extended during the interview conducted on December 21, 2004.

Claims 1-18 are all the claims pending in the application. Claim 18 is allowed. Claims 5-11 and 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claims 1-4 and 12-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hirooka et al. (USP 5,325,935).

During the interview on December 21, 2004, the Examiner recognized that the asserted prior art reference to Hirooka did not necessarily disclose the feature of turning the forklift body about a center of turn specified to be at or within the vicinity of the distal ends of the fork arms. For example, as discussed during the interview, and disclosed in the present specification, the present invention includes a forklift with a turning mode that enables the forklift operator to specify a specific center of turn located at the distal end of either of the fork arms or at a location determined based on the location of the distal ends of the fork arms.

In comparison, Hirooka merely discloses a forklift with independently turning wheels that enables the forklift to turn about various points, none of which is at the distal end of either of the fork arms and none of which is determined based on the location of the distal end of the fork arms.

The Examiner suggested that independent claim 1 should be amended to make it more clear that the center of turn is specified to be at the distal end of one of the fork arms or the center of turn is specified at a location based on the distal end of one of the fork arms. Accordingly, Applicant has voluntarily amended independent claim 1 to expedite prosecution. It

AMENDMENT UNDER 37 C.F.R. § 1.116  
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is respectfully submitted, however, that the scope of claim 1 has not been narrowed by the present amendment and that the amendment made to claim 1 is merely clarifying in nature.

Claim 1 as well as all other claims in the present application are believed to be patentable.

**Conclusion**

In view of the foregoing remarks, the application is believed to be in form for immediate allowance with claims 1-18, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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CUSTOMER NUMBER

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Respectfully submitted,

  
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